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Hearing Date: December 14, 2022  
Opposition Date: November 1, 2022  
Reply Date: December 1, 2022

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION,	)	
Plaintiff,	)	<b>Adv. Pro. No. 08-01789 (CGM)</b>
v.	)	<b>SIPA Liquidation</b>
	)	<b>(Substantively Consolidated)</b>
BERNARD L. MADOFF INVESTMENT SECURITIES, LLC,	)	
Defendant.	)	
In re:	)	
BERNARD L. MADOFF INVESTMENT SECURITIES, LLC,	)	
Debtor.	)	
IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff	)	<b>Adv. Pro. No. 12-01698 (CGM)</b>
Plaintiff,	)	
v.	)	<b>ORAL ARGUMENT REQUESTED</b>
BANQUE INTERNATIONALE À LUXEMBOURG S.A. (f/k/a Dexia Banque Internationale à Luxembourg S.A.); RBC INVESTOR SERVICES BANK S.A (f/k/a RBC Dexia Investor Services Bank S.A.); RBC INVESTOR SERVICES TRUST (f/k/a RBC Dexia Investor Services Trust); BANCO INVERDIS, S.A., as successor in interest to RBC Dexia Investor Services España S.A.; and BANQUE INTERNATIONALE À LUXEMBOURG (SUISSE) S.A. (f/k/a Dexia Private Bank (Switzerland) Ltd.),	)	
Defendants.	)	

**DECLARATION OF ANTHONY L. PACCIONE  
IN SUPPORT OF THE RBC DEFENDANTS’  
MOTION TO DISMISS THE TRUSTEE’S AMENDED COMPLAINT**

ANTHONY L. PACCIONE, under penalty of perjury, declares:

1. I am a member of the bar of the State of New York and of this Court and a member of Katten Muchin Rosenman LLP, counsel for Defendants RBC Investor Services Bank S.A.; RBC Investor Services Trust; and Banco Inversis, S.A. (as successor in interest to RBC Dexia Investor Services España S.A.) (collectively, the “RBC-Dexia Defendants” or “Defendants”) in this adversary proceeding. I submit this Declaration in support of the RBC-Dexia Defendants’ Motion to Dismiss the Trustee’s Amended Complaint filed by plaintiff Irving H. Picard, Trustee (the “Trustee”) for the Liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the Estate of Bernard L. Madoff in this proceeding.

2. Attached hereto as **Exhibit A** is a true and correct copy of the Amended Complaint<sup>1</sup> filed in this adversary proceeding, *Picard v. Royal Bank of Canada (In re Madoff)*, Adv. Pro. No. 12-01698 (CGM) (Bankr. S.D.N.Y. June 30, 2022), ECF No. 134 (the “Amended Complaint” or “Am. Compl.”).

3. Attached hereto as **Exhibit B** is a true and correct copy of the original Complaint filed in this adversary proceeding, *Picard v. Royal Bank of Canada (In re Madoff)*, Adv. Pro. No. 12-01698 (BRL) (Bankr. S.D.N.Y. June 6, 2012), ECF No. 1 (the “Complaint” or “Compl.”).

4. Attached hereto as **Exhibit C** is a true and correct copy the Fairfield Second Amended Complaint, Adv. Pro. No. 09-02139 (Bankr. S.D.N.Y. Aug. 28, 2020), ECF No. 286.

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<sup>1</sup> Capitalized terms not defined in this Declaration have the meaning provided in the concurrently filed *Memorandum of Law in Support of RBC-Dexia Defendants’ Motion to Dismiss the Amended Complaint*.

5. Attached hereto as **Exhibit D** is a true and correct copy of the Tremont Complaint, *Picard v. Tremont Group Holdings, Inc., et al. (In re Bernard L. Madoff Inv. Secs., LLC)*, Adv. Pro. No. 10-05310, ECF No. 1 (Bankr. S.D.N.Y. Dec. 7, 2010).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 2, 2022.

s/ Anthony L. Paccione  
Anthony L. Paccione